

Application Serial No. 10/027,603
Amendment dated February 17, 2006
Reply to Office Action of November 18, 2005

REMARKS

Applicants respectfully request entry of the amendment and reconsideration of the claims. Claims 58, 86, 87, 89, 90, and 101-103 have been canceled without prejudice. Claims 80-85, 94, 96-100, and 106-108 have been amended to further clarify the claimed invention. After entry of the amendment, claims 80-85, 94-100, 104, and 106-108 will be pending.

Applicants submit the amendment does not raise any issues of new matter and is supported by the specification.

Interview

On October 26, 2005, Applicants' representatives Denise Kettelberger and Eric DeMaster met with Examiner Huynh and Examiner Chan regarding the application. Applicants thank the Examiners for the opportunity to discuss the application. Amendments to the claims, which are reflected in the Listing of Claims, were discussed. Examiner Huynh indicated amending claim 80 to recite "thereof" after "antibody fragment" would put the claim in condition for allowance.

Co-pending Applications

Applicants note U.S. Patent Application Nos. 09/997,384, filed on November 15, 2001, and 09/997,601, filed on November 15, 2001, are co-pending.

Claim Objections

The Office Action objected to claim 80. Claim 80 has been amended as suggested by the Examiner. Applicants respectfully request withdrawal of the objection.

The Office Action objected to claim 89 as a substantial duplicate of claim 83. Claim 89 has been cancelled without prejudice. Applicants respectfully request withdrawal of the objection.

Indefiniteness

Claims 93 and 101 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Claims 93 and 101 have been canceled solely for the purpose of advancing prosecution. Applicants do not acquiesce to the rejection and reserve the right to pursue the cancelled subject matter in a continuation application. Withdrawal of the rejection is respectfully requested.

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Enablement

Claim 108 was rejected under 35 U.S.C. § 112, first paragraph, as lacking enablement. Claim 108 has been amended as suggested by the Examiner solely for the purpose of advancing prosecution. Applicants do not acquiesce to the rejection.

In view of the amendment to claim 108, withdrawal of the rejection is respectfully requested.

Written Description

Claim 108 was rejected under 35 U.S.C. § 112, first paragraph, as lacking written description. Claim 108 has been amended as suggested by the Examiner solely for the purpose of advancing prosecution. Applicants do not acquiesce to the rejection.

In view of the amendment to claim 108, withdrawal of the rejection is respectfully requested.

Provisional Obviousness-Type Double Patenting

Applicants acknowledge the rejection and request that the rejection be held in abeyance until allowable subject matter is indicated.

If a provisional non-statutory obviousness-type double patenting (ODP) rejection is the only rejection remaining in the earlier filed of the two pending applications and the later-filed application is rejectable on other grounds, the Examiner should withdraw the provisional ODP rejection and permit the earlier filed application to issue as a patent without a terminal disclaimer. MPEP § 804(I)(B)(1). Applicants note that the present application was filed on December 19, 2001, while copending Application No. 10/205,654 was filed on November 26, 2002. The present application is therefore the earlier filed of the two applications.

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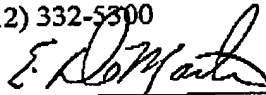
Conclusion

In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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